CLAIMS

1.   (Currently Amended) A device comprising:

a network interface for coupling to a network;

a memory to store a plurality of packets received from the network through the network interface; and

a processor coupled with the network interface and the memory, in which the processor is adapted to

    play out some of the stored packets;

    extract a comparative discardability code from ~~at least one~~ a plurality of the stored packets responsive to a reduction in the size of the memory, where the comparative discardability code identifies a class of speech corresponding to voice data associated with the stored packets;

    identify at least one transition in the class of speech between substantially adjacent stored packets responsive to the comparative discardability codes; and

    delete at least one of the packets from the memory without playing it out according to the ~~extracted comparative discardability codes~~ identified transitions in the class of speech.

2.   (Canceled)

3.   (Currently Amended) The device of claim 1, in which the processor is further adapted to

    compare a plurality of the stored packets according to the extracted comparative discardability codes;

    set a discarding probability in accordance with the comparison of the stored packets, where the discarding probability indicates a lower probability that a packet will be discarded when there is a transition in the class of speech between substantially adjacent stored packets; and

    delete at least one of the packets from the memory in accordance with the set discarding probability.

4.   (Currently Amended) A device comprising:

means for receiving voice data packets through a packet switched network;

means for storing the received packets in a buffer;

means for playing out some of the stored packets from the buffer;

means for adjusting the size of the buffer;

means for extracting a comparative discardability code from at least one of the stored packets responsive to a reduction in the size of the buffer <u>and a reduction in congestion associated with the network</u>;

means for deleting at least one of the packets from the memory without playing it out according to the extracted comparative discardability codes.

5.   (Canceled)

6.   (Currently Amended) The device of claim 4, further comprising:

means for comparing a plurality of the stored packets according to the extracted comparative discardability codes;

<u>means for determining multiple adjacently stored packets have a same class of speech responsive to the comparative discardability codes</u>; and

means for setting a discarding probability in accordance with the <u>determination</u> <s>comparison of the stored packets</s>; and

means for deleting at least one of the packets from the memory in accordance with the set discarding probability.

7.   (Currently Amended) An article comprising: a storage medium, the storage medium having instructions stored thereon, in which when the instructions are executed by at least one device, they result in:

receiving voice data packets through a packet switched network;

storing the received packets in a buffer;

playing out some of the stored packets from the buffer;

extracting a comparative discardability code from at least one of the stored packets responsive to a reduction in the size of the buffer;

determining mulitple adjacently stored packets have a same class of speech responsive to the comparative discardability codes; and

deleting at least one of the packets from the memory without playing it out according to the ~~extracted comparative discardability codes~~ determination that the multiple packets have the same class of speech.

8.   (Canceled)

9.   (Previously Presented) The article of claim 7, in which the instructions further result in:

comparing a plurality of the stored packets according to the extracted comparative discardability codes;

setting a discarding probability in accordance with the comparison of the stored packets; and

deleting at least one of the packets from the memory in accordance with the set discarding probability.

10.   (Currently Amended) A method comprising:

receiving voice data packets through a packet switched network;

storing the received packets in a buffer;

playing out some of the stored packets from the buffer;

extracting a comparative discardability code from at least one of the stored packets responsive to a reduction in the size of the buffer;

determining at least one speech class transition between multiple stored packets responsive to the comparative discardability codes; and

deleting at least one of the packets from the memory without playing it out according to the ~~extracted comparative discardability codes~~ determination that the multiple packets have the same class of speech.

11.   (Canceled)

12.   (Currently Amended) The method of claim 10, further comprising:

comparing a plurality of the stored packets according to the extracted comparative discardability codes;

setting a discarding probability in accordance with the <u>determining</u> ~~comparison of the stored packets~~; and

deleting at least one of the packets from the memory in accordance with the set discarding probability.

13.   (Previously presented) The device of claim 4 including means for reducing the size of the memory available to store the packets responsive to a reduction of congestion associated with the network.

14.   (Canceled)

15.   (Previously presented) The device of claim 1 including a speaker to play out voice data associated with the packets stored in the memory, where the processor is adapted to provide the voice data to the speaker without transmitting the stored packets over a network.

16.   (Currently Amended) The ~~method~~ <u>device</u> of claim 1 where the processor is adapted to

compare a plurality of stored packet according to the class of speech;

identify packets that include sequential voice data frames with differing classes of speech; and

delete one or more of the stored packets responsive to the identifying.

17.   (New) The device of claim 1 where the processor is adapted to discard at least one of the packets stored in the memory without playing it out when there is not a transition in the class of speech between two or more packets.

18.   (New) The device of claim 1
where one or more of the stored packets does not include comparative discardability codes; and
where the processor is adapted to discard packets that do not include comparative discardability codes before packets that include comparative discardability codes.

19.   (New) The device of claim 4 including discarding at least one of the packets stored in the memory without playing it out when multiple adjacent packets have previously been discarded.

20.   (New) The article of claim 7 where one or more of the packets includes the comparative discardability code in a Real-Time Transport Protocol header.

21.   (New) The article of claim 7 where one or more of the packets includes the comparative discardability code in a packet payload.

22.   (New) The method of claim 10
where one or more of the stored packets does not include comparative discardability codes; and
discarding packets that do not include comparative discardability codes before packets that include comparative discardability codes.